

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Plaintiff,

v.

PREVEZON HOLDINGS LTD., *et al.*

Defendants,

ALL RIGHT, TITLE AND INTEREST IN THE  
REAL PROPERTY AND APPURTENANCES  
KNOW AS THE 20 PINE STREET  
CONDOMINIUM, 20 PINE STREET, NEW  
YORK, NEW YORK 10005, UNIT 1816 (“20  
PINE STREET, UNIT 1816”), *et al.*,

Defendants *in Rem*.

Case No. 1:13-cv-06326 (TPG)

ECF CASE

**DECLARATION OF MARK A. CYMROT  
IN SUPPORT OF DEFENDANTS’  
MOTION *IN LIMINE* NO. 1 TO  
EXCLUDE EVIDENCE GATHERED  
THROUGH USE OF GRAND JURY  
SUBPOENAS, CRIMINAL MUTUAL  
LEGAL ASSISTANCE TREATIES, AND  
OTHER SECRET FOREIGN  
COMMUNICATIONS**

Mark A. Cymrot hereby declares as follows:

1. I am a member of the bar of this Court and a partner at Baker & Hostetler LLP, and am counsel of record for the above-captioned Defendants in this action. I respectfully submit this Declaration in Support of Defendants’ Motion *In Limine* No. 1 to Exclude Evidence Gathered Through Use of Grand Jury Subpoenas, Criminal Mutual Legal Assistance Treaties, and Other Secret Foreign Communications.

2. Attached as Exhibit 1 to this Declaration is a true and correct copy of a press release issued by the U.S. Attorney’s Office for the Southern District of New York.

3. [REDACTED]

[REDACTED]

[REDACTED]

4. Attached as Exhibit 3 to this Declaration are excerpts from the October 6, 2015 deposition of Special Agent Todd Hyman, taken in this action.

5. Attached as Exhibit 4 to this Declaration is a true and correct copy of a February 11, 2014 letter to Special Agent Todd Hyman, in reference to a grand jury subpoena sent to TD Bank.

6. Attached as Exhibit 5 to this Declaration is a true and correct copy of a Declaration of Custodian of Records, executed by an employee of Citibank, in reference to a grand jury subpoena.

7. Attached as Exhibit 6 to this Declaration is a true and correct copy of a March 19, 2014 letter from UBS AG Stamford Branch to Special Agent Todd Hyman, in reference to a grand jury subpoena.

8. Attached as Exhibit 7 to this Declaration is a true and correct copy of a June 12, 2014 letter from Societe Generale to Special Agent Todd Hyman, in reference to a grand jury subpoena.

9. Attached as Exhibit 8 to this Declaration is a true and correct copy of a Declaration of Custodian of Records, executed by an employee of BNY Mellon, in reference to a grand jury subpoena.

10. Attached as Exhibit 9 to this Declaration is a true and correct copy of a Declaration of Custodian of Records, executed by an employee of Deutsche Bank, in reference to a grand jury subpoena.

11. Attached as Exhibit 10 to this Declaration is a true and correct copy of a Declaration of Custodian of Records, execute by an employee of JPMorgan, in reference to a grand jury subpoena.

12. Attached as Exhibit 11 to this Declaration is a true and correct copy of a Declaration of a Custodian of Records, executed by an employee of Standard Chartered Bank, in reference to a grand jury subpoena.

13. Attached as Exhibit 12 to this Declaration is a true and correct copy of a June 15, 2015 letter from Paul Monteleoni, Esq. to John Moscow, Esq.

14. Attached as Exhibit 13 to this Declaration is a true and correct copy of a July 6, 2015 letter from Paul Monteleoni, Esq. to John Moscow, Esq.

15. Attached as Exhibit 14 to this Declaration is a true and correct copy of a November 2, 2015 letter from Paul Monteleoni, Esq. to John Moscow, Esq.

16. Attached as Exhibit 15 to this Declaration is a true and correct copy of the Government's intended exhibit list, for trial in this action.

17. Attached as Exhibit 16 is an October 2, 2015 civil non-party subpoena issued by the Government to Bank of America.

18. Attached as Exhibit 17 to this Declaration is a true and correct copy of the Russian response to the United States' mutual legal assistance treaty request sent in connection with this action. This document contains an updated English translation.

19. Attached as Exhibit 18 to this Declaration is a true and correct copy of a response provided by the Government of Moldova to the Government of the United States, in connection with a request sent in connection with this action.

20. Attached as Exhibit 19 to this Declaration is a true and correct copy of an excerpt from Exhibit B.2 of the expert report of the Government's expert witness John E. Rollins.

21. Attached as Exhibit 20 to this Declaration is a true and correct copy of a response provided by the Government of Switzerland to the Government of the United States, in connection with a mutual legal assistance treaty request sent in connection with this action.

22. Attached as Exhibit 21 to this Declaration is a true and correct copy of the English translation of an audio conversation between Dominic Rolle, Denis Katsyv, Natalia Veselnitskaya, and others.

23. Attached as Exhibit 22 to this Declaration is a true and correct copy of the response provided by the Republic of Estonia to the Government of the United States, in connection with a mutual legal assistance treaty request sent in connection with this action.

24. Attached as Exhibit 23 to this Declaration is a true and correct copy of the response provided by the Government of Lithuania to the Government of the United States, in connection with a mutual legal assistance treaty request sent in connection with this action.

25. Attached as Exhibit 24 to this Declaration are excerpts from the October 7, 2015 deposition of Aleksander Schwartzman, taken in this action.

26. Attached as Exhibit 25 to this Declaration is the response provided by the Government of Cyprus to the Government of the United States, in connection with a request sent in connection with this action.

27. Attached as Exhibit 26 to this Declaration is an excerpt from the November 13, 2015 deposition of John E. Rollins, taken in this action.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 8, 2015  
New York, New York

Respectfully submitted,

**BAKER & HOSTETLER LLP**

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*Attorney for Defendants*